

**REMARKS**

Claims 1-13 have been examined. Claims 1-3, 5 and 7-13 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 4 and 6 contain allowable subject matter.

**I. Preliminary Matters**

As a preliminary matter, the Examiner has objected to claim 1 due to a minor informality. Applicant has amended claim 1 in accordance with the Examiner's suggestion. Such amendment is not made in view of the prior art, and does not narrow the scope of the claim.

Upon Applicant's review of the pending claims, Applicant noticed that portions of claim 7 were inadvertently omitted in the version filed with the June 27, 2003 Amendment. In particular, Applicant inadvertently omitted features of claim 7 when Applicant added the terms "or quantity" to the claim in the June 27, 2003 Amendment. Therefore, the current amendments do not change the scope of the claim, since such amendments merely recite the features of claim 7 as originally filed.

Also, Applicant corrected a minor error in claim 5. Such amendment replaces the second "means" of line 2, with the term "manages", which is recited in claim 5 as originally filed.

Further, the Examiner has indicated that the proposed drawing correction, filed on June 27, 2003, is acceptable. Therefore, Applicant submits herewith a substitute formal drawing for Fig. 3.

**II. Rejection under 35 U.S.C. § 103(a) over JP 09134586 to Katsumata (“Katsumata”) in view of U.S. Patent No. 6,094,647 to Kato et al. (“Kato”)**

Claims 1, 3, 5 and 7-10 and 12-13 have been rejected under 35 U.S.C. § 1-3(a) as being unpatentable over Katsumata in view of Kato.

**A. Claim 1**

Claim 1 recites a storage means for storing information read from a recording medium. Further, the information in the storage means is read to a buffer memory at a speed which is higher than or equal to a speed at which the information in the buffer memory is reproduced.

The Examiner acknowledges that Katsumata fails to teach or suggest the above features, but contends that Kato does. In particular, the Examiner points to column 13, lines 59-67 of Kato as disclosing the claimed invention. Kato relates to a document information search method for searching for a specific text data containing a search subject key word. Based on the cited portion of Kato, it appears that the Examiner maintains that the data discloses the claimed information, the higher rank apparatus discloses the claimed storage means, and the input/output buffer discloses the claimed buffer memory (col. 13, lines 53-55).

Kato discloses that the input/output buffer transfers (or writes) data to the higher rank apparatus at a higher rate than the reading rate of data into the input/output buffer from a magnetic disk (col. 13, lines 61-64). Further, the reference summarizes that the input/output (i.e. reading/writing) of data with respect to the higher rank apparatus can be made higher than the writing/reading rate of the magnetic disk (col. 13, lines 64-67). However, Kato is silent as to a

speed of which information is read to the input/output buffer from the higher rank apparatus or any reproduction speed from the buffer. Therefore, Kato fails to teach or suggest the claimed comparison, i.e., that information in a storage means is read to a buffer memory at a speed which is higher than or equal to a speed at which information in the buffer memory is reproduced.

Accordingly, assuming *arguendo* that the Examiner maintains that the higher rank apparatus of Kato discloses the claimed storage means and the input/output buffer discloses the claimed buffer memory, Kato fails to disclose that information is read from the higher rank apparatus to the input/output buffer, or a speed at which the information read from the higher rank apparatus is reproduced from the buffer. Since Kato fails to teach or disclose a speed at which information (i.e. data) is reproduced from the buffer memory (i.e. input/output buffer), the reference likewise fails to disclose the claimed comparison, i.e. that data read to the buffer memory from the higher rank apparatus is read at a speed which is higher than or equal to a speed at which the data is reproduced from the buffer memory.

In light of the above, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

**B. Claims 3, 5, 7-10 and 12-13**

Since claims 3, 5, 7-10 and 12-13 are dependent upon claim 1, Applicant submits that such claims are patentable at least by virtue of their dependency.

**III. Rejection under 35 U.S.C. § 103(a) over Katsumata in view of Kato and U.S. Patent No. 6,449,226 to Kumagai (“Kumagai”).**

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsumata in view of Kato and Kumagai. However, since claim 2 is dependent upon claim 1, and Kumagai fail to cure the deficient teachings of Katsumata and Kato, Applicant submits that such claims are patentable at least by virtue of their dependency.

**IV. Rejection under 35 U.S.C. § 103(a) over Katsumata in view of Kato and U.S. Patent No. 5,661,706 to Ohtomo (“Ohtomo”).**

Claim 11 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsumata in view of Kato and Ohtomo. However, since claim 11 is dependent upon claim 1, and Ohtomo fails to cure the deficient teachings of Katsumata and Kato, Applicant submits that such claim is patentable at least by virtue of its dependency.

**V. Allowable Subject Matter**

As stated previously, the Examiner has indicated that claims 4 and 6 contain allowable subject matter. Accordingly, Applicant has rewritten claims 4 and 6 into independent form.

**VI. Newly Added Claims**

Applicant has added claims 14-26 to provide more varied protection for the present invention.

Amendment under 37 C.F.R. § 1.116  
U.S. Application No. 09/725,266

## VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

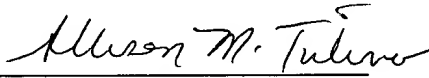
Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

  
Allison M. Bowles Tulino  
Registration No. 48,294

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